

ORDINANCE NO. 1316
AN ORDINANCE AMENDING THE CODE OF THE CITY OF TILLAMOOK (CCT), TITLE XV: LAND USAGE,
CHAPTER 153, AND THE SPECIAL TABLE OF ORDINANCES, TABLE VII: MISCELLANEOUS

WHEREAS, the Planning Commission held public hearings on February 18, 2016 and March 3, 2016, and recommended approval of the Hoquarton Waterfront Plan and Hoquarton Waterfront Overlay District to the City Council; and

WHEREAS, the City Council reviewed the Plan during a joint workshop with the Planning Commission on December 14, 2015 and held a public hearing on March 21, 2016, and held an additional workshop and Special Session for consideration of the Hoquarton Waterfront Plan and Hoquarton Waterfront Overlay District on March 28, 2016; and

WHEREAS, the Hoquarton Waterfront Plan was adopted by the City Council on May 16, 2016 under City Ordinance 1313; and

WHEREAS, Appendix D containing the Hoquarton Overlay District was omitted from Ordinance 1313 in order to review certain property concerns before the District was adopted; and

WHEREAS, the Tillamook City Council has completed its review of the Hoquarton Waterfront Overlay District.

NOW THEREFORE, the City of Tillamook ordains as follows:

Section 1: Amendment of the Code of the City of Tillamook (CCT)

The Code of the City of Tillamook (CCT) Title XV: Land Usage, Chapter 153 is hereby amended to include the revisions and additions as detailed in Exhibit A--Zoning Code Changes and the Hoquarton Waterfront Overlay (HWO) District and Exhibit B—HWO District Map. The CCT Special Table of Ordinances, Table VII shall be updated to reflect the adoption of this ordinance.

Section 2: Codification.

Provisions of this Ordinance shall amend the Code of the City of Tillamook, and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word and the sections of the Ordinance may be renumbered, or re-lettered, the City Recorder is authorized to correct any cross-references and any typographical errors.

Section 3: Effective Date.

This Ordinance shall take effect 30 days from the date of adoption.

Passed 1st reading by the Tillamook City Council on this 20th day of June, 2016.

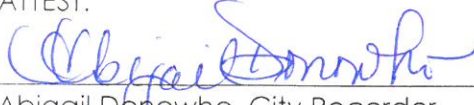
Passed 2nd reading by the Tillamook City Council on this 5th day of July, 2016.

Adopted by the Common Council this 5th day of July, 2016.

Approved by the Mayor this 5th day of July, 2016.


Suzanne Weber, Mayor

ATTEST:


Abigail Donowho, City Recorder

City of Tillamook Zoning Ordinance: Hoquarton Waterfront Overlay (HWO) District
City of Tillamook Zoning Ordinance

1. Purpose. This district implements the Hoquarton Waterfront Plan. The district is intended to create a mix of industrial, commercial and residential uses that captures the recreational and visual amenities of the Hoquarton Waterfront. Development should build on the industrial heritage of the area while providing new opportunities for employment and services. The district shall:
 - Provide access to and enjoyment of the Hoquarton Waterfront.
 - Maintain and celebrate the area's unique native and industrial heritage.
 - Cultivate a diverse mix of businesses and shops to serve residents and visitors.
 - Encourage a variety of housing options to support a diverse population and local workforce.
 - Design sites to connect to transportation infrastructure for pedestrians, bicycles, automobiles and trucks and provide appropriate onsite facilities to support multimodal transportation.
2. Relationship to Base Zoning. This overlay district supplements the use and development standards in the base C-C, H-C, L-I and R-O zones. In the case of conflict, this overlay district supersedes the standards of the underlying zone. This overlay does not alter or replace any standards in the Hazard Overlay (H-O), Flood Hazard Overlay (FHO), or Water Resource Protection Overlay (WRPO) districts.
3. Definitions.
 - A. Artisan Manufacturing = Small-scale businesses that manufacture artisan goods, materials or specialty foods. Small manufacturing production primarily focuses on direct sales rather than the wholesale market. This small-scale manufacturing use is intended to be compatible with surrounding commercial development. An allowance for public viewing or customer service space is required with artisan and specialty goods production. This use category includes the following uses: sugar and confectionary, fruit and vegetable preserving, tea and coffee, specialty foods, and bakeries; artisan leather, wood products, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, microdistilleries, and wineries; and similar uses determined by the Director.
 - B. Incubator Space = A multi-use facility providing start-up and early stage businesses with shared office, industrial, manufacturing, food preparation, or similar facilities.
 - C. Live/Work Unit = A building or space within a building used jointly for a commercial or manufacturing activity allowed in the zone and a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household, where the residential use of the space is secondary or accessory to the primary use as a place of work.
4. Uses Permitted Outright. The following uses are permitted in addition to the uses allowed in the base zone.

A. Existing uses.

- 1) Single family residential uses in existence on the effective date of the original adoption of the Waterfront Hoquarton Overlay District are a permitted use within the district.
- 2) All other uses and structures lawfully existing on the effective date of the original adoption of the Waterfront Hoquarton Overlay District which are non-conforming as defined by §153.074 shall be deemed legal non-conforming and may be altered, and/or expanded consistent with §153.074.

B. In the C-C base zone, the following uses are permitted in addition to those allowed in the base zone:

1) Artisan Manufacturing.

- a. Structures shall not encompass more than 10,000 square feet of area. The 10,000-square-foot total shall include all storage areas associated with the manufacturing operation. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit the potential impacts on residential and commercial uses.
- b. All activities except loading and outdoor product displays shall occur within buildings; outdoor storage/repair is prohibited.
- c. All Artisan Manufacturing uses are required to accommodate public viewing or a customer service space:
 - Public viewing shall be accomplished with windows or glass doors covering at least 25% of the front of the building face abutting the street or indoor lobby wall, allowing direct views of manufacturing, openings between the display or lobby area and manufacturing/work space may be reduced below 25% where fire-rated separation requirements restrict opening size as determined by the planning official, or;
 - A customer service space includes a showroom, tasting room, restaurant, or retail space.
- d. All uses shall be carried on in such a manner that they do not create smoke, gas, odor, dust, sound, vibration, soot, heat, glare or lighting to a degree that is readily detectable at any point beyond the property line of the use.

2) Upper Floor Residential (single-family and multi-family).

- 3) Ground Floor Residential Uses (single-family and multi-family) occupying less than twenty-five percent (25%) of the ground floor of commercial buildings, provided that commercial store fronts are maintained on the street front.

- 4) Live/Work Units.
 - a. A minimum of seventy-five percent (75%) of a structure's street front façade at street level shall be occupied by nonresidential uses.
 - b. The minimum floor-to-floor height of the first floor shall be 13 feet.
 - c. Off-street parking for live/work units is prohibited between the structure's street front façade and the street.
 - d. Live/work units that exceed 2,000 square feet gross floor area must have separate entrances for the business and residential portions of the use.
 - e. Within each live/work unit, the living area shall not exceed one-half of the total floor area of the unit.
- 5) Public facilities and other public uses.
- C. In the L-I base zone, the following uses are permitted in addition to those allowed in the base zone:
 - 1) Commercial retail limited to fifty percent (50%) of the gross floor area.
 - 2) Commercial services limited to fifty percent (50%) of the gross floor area.
 - 3) Eating and drinking establishments limited to fifty percent (50%) of the gross floor area.
 - 4) Incubator Space. All uses shall be carried on in such a manner that they do not create smoke, gas, odor, dust, sound, vibration, soot, heat, glare or lighting to a degree that is readily detectable at any point beyond the property line of the use.
 - 5) Live/Work Units.
 - a. A minimum of seventy-five percent (75%) of a structure's street front façade at street level shall be occupied by nonresidential uses.
 - b. The minimum floor-to-floor height of the first floor shall be 13 feet.
 - c. Off-street parking for live/work units is prohibited between the structure's street front façade and the street.
 - d. Live/work units that exceed 2,000 square feet gross floor area must have separate entrances for the business and residential portions of the use.

- e. Within each live/work unit, the living area shall not exceed one-half of the total floor area of the unit.
 - 6) Warehouse and storage are permitted as accessory uses to a primary commercial or manufacturing use for goods produced or sold on the premises.
 - 7) Public facilities and other public uses.
- D. In the R-0 base zone, the following uses are permitted outright in addition to those allowed in the base zone:
- 1) Commercial retail limited to fifty percent (50%) of the gross floor area.
 - 2) Commercial services limited to fifty percent (50%) of the gross floor area.
 - 3) Eating and drinking establishments limited to fifty percent (50%) of the gross floor area.
 - 4) Artisan Manufacturing.
 - a. Structures shall not encompass more than 6,000 square feet of area. The 6,000-square-foot total shall include all storage areas associated with the manufacturing operation. These types of uses are limited in size to assure that they will not dominate the mixed use area and to limit the potential impacts on residential and commercial uses.
 - b. All activities except loading and outdoor product displays shall occur within buildings; outdoor storage/repair is prohibited.
 - c. All Artisan Manufacturing uses are required to accommodate public viewing or a customer service space:
 - Public viewing shall be accomplished with windows or glass doors covering at least 25% of the front of the building face abutting the street or indoor lobby wall, allowing direct views of manufacturing, openings between the display or lobby area and manufacturing/work space may be reduced below 25% where fire-rated separation requirements restrict opening size as determined by the planning official, or;
 - A customer service space includes a showroom, tasting room, restaurant, or retail space.
 - d. All uses shall be carried on in such a manner that they do not create smoke, gas, odor, dust, sound, vibration, soot, heat, glare or lighting to a degree that is readily detectable at any point beyond the property line of the use.
- E. In the H-C base zone, the following uses are permitted in addition to those allowed in the base zone:

1) Artisan Manufacturing.

- a. Structures shall not encompass more than 6,000 square feet of area. The 6,000-square-foot total shall include all storage areas associated with the manufacturing operation. These types of uses are limited in size to assure that they will not dominate the mixed use area and to limit the potential impacts on residential and commercial uses.
- b. All activities except loading and outdoor product displays shall occur within buildings; outdoor storage/repair is prohibited.
- c. All Artisan Manufacturing uses are required to accommodate public viewing or a customer service space:
 - Public viewing shall be accomplished with windows or glass doors covering at least 25% of the front of the building face abutting the street or indoor lobby wall, allowing direct views of manufacturing, openings between the display or lobby area and manufacturing/work space may be reduced below 25% where fire-rated separation requirements restrict opening size as determined by the planning official, or;
 - A customer service space includes a showroom, tasting room, restaurant, or retail space.
- d. All uses shall be carried on in such a manner that they do not create smoke, gas, odor, dust, sound, vibration, soot, heat, glare or lighting to a degree that is readily detectable at any point beyond the property line of the use.

5. Prohibited Uses. The following uses are prohibited, superseding uses allowed in the base C-C, H-C, L-I and R-O zones.

- A. Mini-Warehouse/Storage Units as a primary use, excluding warehouse and storage permitted accessory to a permitted use.
- B. Automobile sales and service station, including towing services and vehicle washing and polishing facilities.
- C. New and use automobile, truck, motorcycle, trailer, recreational vehicle, agricultural vehicle, mobile home, and industrial equipment sales, services and storage.
- D. Freight terminals, including moving and storage, warehouse for short-term storage, and cold storage.
- E. Wholesaling, storage, and distribution such as RV storage, household storage, and personal storage.

- F. Marijuana facility where marijuana is produced and registered with the Oregon Health Authority (OHA) or the Oregon Liquor Control Commission (OLCC).
 - G. Drive-through facilities.
6. Height Requirements. The height requirements of the underlying zone shall apply with the following exceptions:
- A. In the C-C, H-C, L-I and R-O base zone, no building or structure shall hereafter be erected, enlarged or structurally altered to exceed a height of 50 feet.
 - B. Historic resources constructed prior to 1950 or recreations of said resources shall be exempt from the height limit in the overlay zone and the base zone.
7. Lot Requirements.
- A. Lot Area: No minimum or maximum lot area.
 - B. Lot Width/Depth: No minimum or maximum lot width or depth.
 - C. The front, side and rear yard setbacks of the underlying zone shall apply with the following exceptions:
 - 1) In the C-C, H-C, and L-I and base zones, the maximum front setback shall be 10 feet. The 10-foot maximum applies to the first 15 feet of building height only and upper stories may step back.
 - 2) In the R-O base zone:
 - a. Front Yard Setback: The minimum front yard setback shall be 10 feet. Corner lot front yard setbacks, one side must have a minimum of 5 feet. Front yard setbacks may be reduced to 5 feet for an enclosed porch, portico, or other architectural feature that is connected directly to a building entrance.
 - b. Side and Rear Yard Setbacks: No requirements.
8. Site Design. The following standards are intended to promote a desired level of future development quality that will stimulate investment and strengthen economic vitality in the Hoquarton Area, renew a positive physical image of the area and require compatibility with nearby uses.
- A. Building Orientation: All new buildings shall be oriented to public streets. Building orientation is demonstrated by placing buildings and their public entrances close to streets so that pedestrians have a direct and convenient route from the street sidewalk to building entrances. Off-street

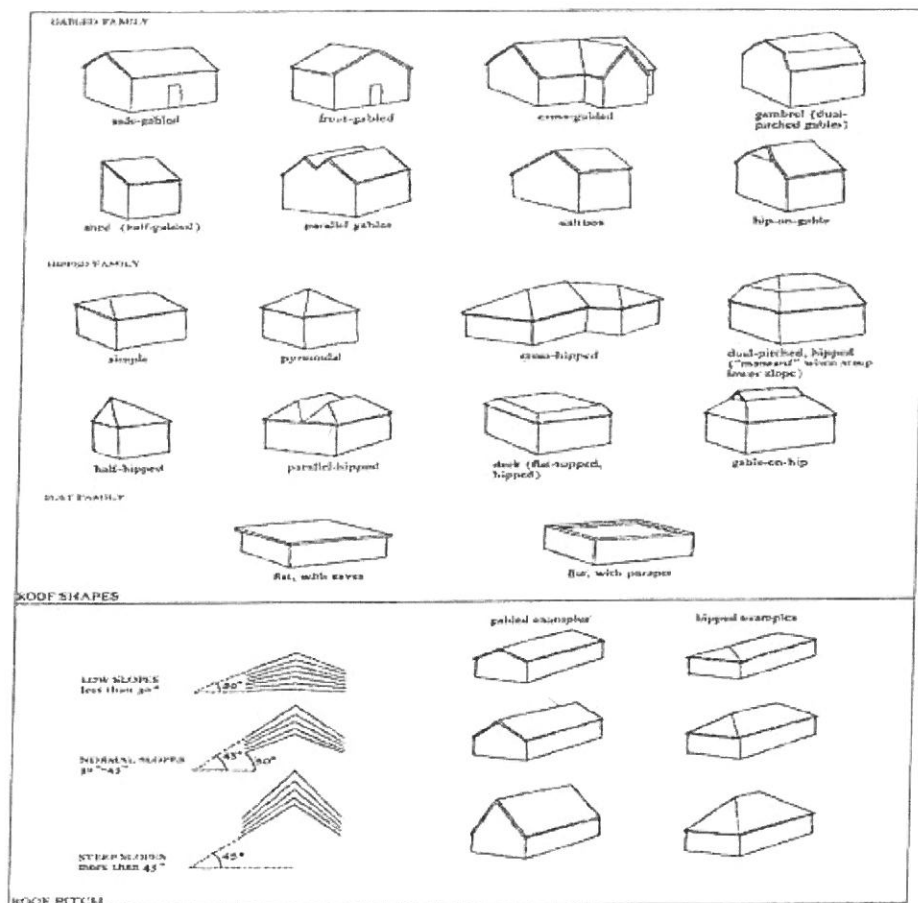
parking or vehicular circulation shall not be placed between buildings and streets used to comply with this standard.

- B. Building Frontage: On sites with 100 feet or more of public street frontage, at least eighty percent (80%) of the site width shall be occupied by buildings placed within the maximum setback. For sites with less than one hundred (100) feet of public street frontage, at least sixty percent (60%) of the site width shall be occupied by buildings placed within the maximum setback.
 - C. Differentiation Between Stories: Differentiation shall be provided between ground-level spaces and upper stories. For example, bays or balconies for upper levels, and awnings, canopies or other similar treatments for lower levels can provide differentiation. Variation in building materials, trim, paint, ornamentation, windows, or other features such as public art, may also be used.
9. Design Standards. The following standards apply to residential development in the C-C or R-O base zones within the overlay district and are intended to provide visual interest, distinct design qualities, appropriate massing, and a pleasing transition between uses to promote compatibility through architectural detailing and the use of sustainable and high-quality materials that are contextually appropriate for the Oregon coast.
- A. Materials. Use building materials of high durability and high quality.
 - 1) Painted or natural stain wood, stone, brick, rusticated concrete block, and wood-textured, cementitious fiberboard products are allowed.
 - 2) Areas greater than twenty-five percent (25%) of the façade surfaced with rough-cut wood, wide rough-cut lap siding, T-111, plywood, corrugated metal, foam/synthetic stucco, or similar materials are prohibited.
 - 3) Vinyl siding is prohibited on the ground floor.
 - B. Window Coverage. At least fifteen percent (15%) of the area of each street-facing façade shall consist of windows and/or doors. If a front and side façade are street-facing, the two façades may be combined for the purpose of this calculation.
 - C. Architectural Expression. The street-facing façade of a townhouse, rowhouse and other individual unit, excluding apartments, shall provide architectural detail or composition to visually identify each individual unit as seen from the street. Each unit shall include a minimum of two of the following features total, one each from two separate categories on the following list:
 - 1) Roof
 - a. Dormers;
 - b. Gables;

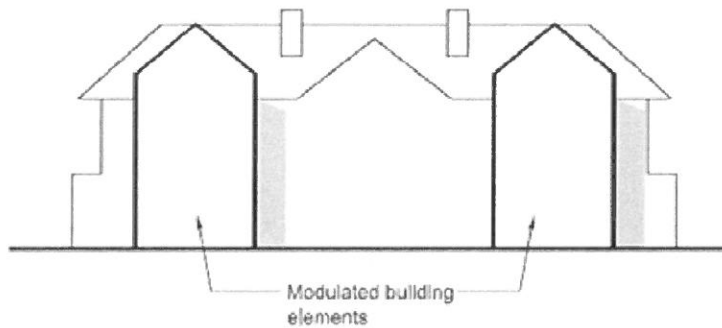
- c. Cupolas;
- d. Eaves (minimum six-inch projection);
- 2) Entry
 - a. Recessed entries;
 - b. Covered porch entries;
- 3) Windows
 - a. Bay or bow windows;
- 4) Other
 - a. Pillars or posts;
 - b. Off-sets on building face or roof (minimum 16 inches).

D. Rooflines

- 1) Roof Forms. Roof designs shall conform predominately to one of the following: flat with stepped parapet, gabled, or hipped. Secondary roof forms may include towers, dormers, turrets or other features with rounded (e.g., split-barrel), shed (e.g., dormer), pyramidal, or crossing elevations. Gambrel, dual-pitched (e.g., hipped “mansard”), deck (flat-topped, hipped), A-frame, and similar roof forms are prohibited. Where roofs are pitched, a minimum pitch of at least 30 degrees should be maintained.



- 2) The width of any continuous flat roofline should not extend more than 100 feet without modulation. Modulation should consist of either one or a combination of the following treatments:
 - a. For flat roofs or façades with a horizontal eave, fascia, or parapet with at least an eight-foot return, the minimum vertical dimension of roofline modulation is the greater of four feet or 0.1 multiplied by the wall height (finish grade to top of the wall).
 - b. A sloped or gabled roofline segment of at least 20 feet in width and no less than three feet vertical in 12 feet horizontal.
- E. Façade Modulation. Building façades visible from public streets and public spaces shall be stepped back or projected forward at intervals to provide a minimum of forty percent (40%) façade modulation unless the applicant demonstrates that an alternate design solution provides an equal or greater level of achieving the intent of the section. The minimum depth of modulation shall be one foot, and the minimum width shall be five feet.



Modulation

- F. **Pedestrian Entry.** Each individual unit such as a townhouse or rowhouse, or each apartment structure, shall have a pedestrian entry on the street-facing facade that is designed to be visually prominent through the use of covered stoops, porches, or other architectural entry features. For units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.
- G. **Front Setback.** Design elements to provide a transition between the street and the building entrance, such as landscaping, trees, fences, or other similar features, are required in the front setback.

10. Off-Street Parking, Loading and Circulation.

- A. For commercial or industrial uses outside of the C-4 parking district, parking shall be provided at a minimum of one (1) space per employee plus one (1) space per seven hundred (700) square feet of commercial area.
 - 1) Commercial or industrial uses may locate parking facilities off-site consistent with §153.054 (3) (A).
 - 2) Commercial or industrial uses may use the on-street parking credit in §153.054 (6) to satisfy the minimum requirements in part or in full. On-street parking credit will be reviewed through Site Plan Review consistent with §153.073 (12) and will not require Planning Commission approval as stated in §153.054 (6).
 - 3) Commercial or industrial uses may also develop a joint use of facilities as described in §153.054 (4) to satisfy the minimum requirements in part or in full.
- B. For residential uses outside of the C-4 parking district, parking shall be provided at a minimum of 1 space per dwelling unit and a maximum of 1 space per bedroom. Exceptions to the minimum requirements may be approved by the City when it is demonstrated that the type of housing proposed does not require parking and/or when it is shown that use of on-street spaces during off-peak hours will provide adequate parking for the area.

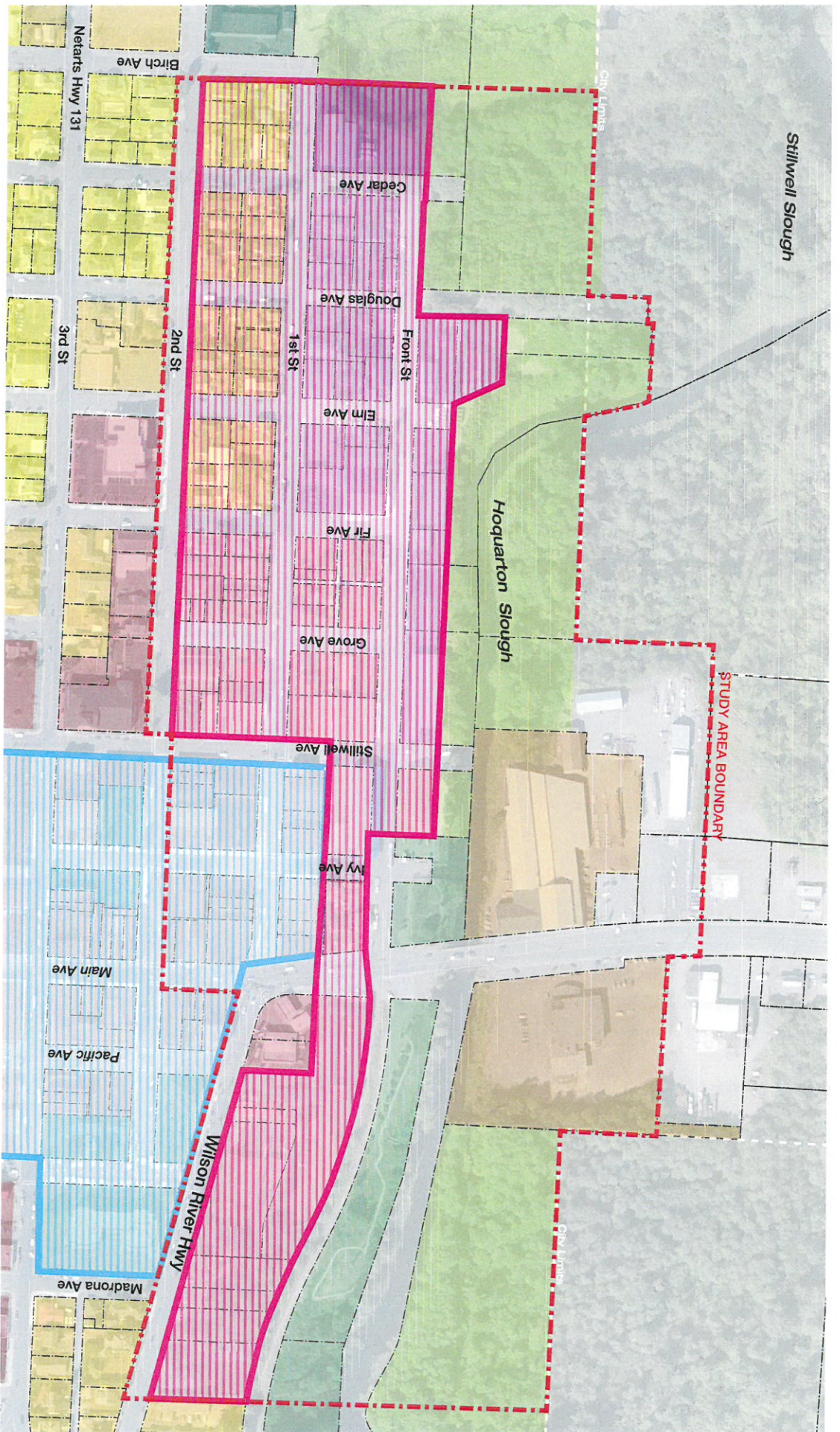
- 1) Residential uses may use the on-street parking credit in §153.054 (6) to satisfy the minimum requirements in part or in full. On-street parking credit will be reviewed through Site Plan Review consistent with §153.073 (12) and will not require Planning Commission approval as stated in §153.054 (6).
 - 2) Residential uses may also develop a joint use of facilities as described in §153.054 (4) to satisfy the minimum requirements in part or in full.
- C. Off-street parking lots shall be placed to the side or rear of buildings in accordance with the Building Orientation Standards as described in 8(A) of this section and §153.051. Access from alleys is encouraged. All vehicular driveway entries shall be patterned to differentiate them from sidewalks.
 - D. For corner lots, parking areas shall not be located within 20 feet of an intersection, as measured from the midpoint of the curb return arc to the edge of the parking area (curb or wheel stop) on corner lots.
 - E. Loading and service areas (e.g., trash enclosures and drive-throughs) shall be located in such a manner to minimize conflicts with public pedestrian areas, and shall be screened with plantings, shall provide convenient access for trucks, and minimize noise and other impacts with adjoining uses. Loading and service areas shall be located to the rear or sides of buildings, or in alleys when available. Loading dock doors are encouraged to be placed in recessed areas or between buildings to minimize impacts to the pedestrian and human- scale aspects of the development.
 - F. Off-street parking areas shall be separated from buildings by either a raised concrete walkway or landscaped strip with a minimum width of 6 feet. Situations where parking stalls directly abut buildings shall be avoided except where wheel stops are provided.
 - G. Off-street parking areas shall be screened from the street by a street wall or arcade, between 6 feet and 15 feet in height, and extending a maximum width to screen the view of parked vehicles and allow for safe circulation at the minimum driveway widths required according to §153.054.

Alternately, parking areas shall be screened from the street by a minimum 6-foot wide landscaping buffer with plants with a mature height of 6 to 15 feet and 50% opacity year-round.
 - H. Rear parking lots shall be designed and located contiguous to each other to the greatest extent practicable so that vehicles can travel from one private parking lot to the other (reciprocal access) without having to enter the street. Shared parking and circulation aisles coordinated between adjacent businesses and/or developments are strongly encouraged.
 - I. Parking areas on lots with historic resources constructed prior to 1950 are exempt from the off-street parking, loading and circulation provisions of this section.

11. Landscaping.

- A. New development or substantial remodel is subject to the design and landscaping standards as listed in §153.055 for the base zone in which the development is located.
 - B. All areas not occupied by structures, parking lots or pedestrian plazas that are visible from public rights of way shall provide landscaping. Landscaping shall include a mix of vertical and horizontal elements.
 - C. Street trees shall be required on at least one side of all streets except Front Street between Main and Cedar Avenues, or as specified in the Hoquarton Waterfront Plan. Species should be compatible with the standards provided below, and shall provide continuity with nearby landscaping. Street tree species to be planted and minimum tree planting dimensions are described in §153.055. A reduction to the number of required street trees may be granted when a development preserves healthy, mature tree(s) adjacent to the sidewalk.
 - 1) Tree canopies shall be a minimum of 10 feet diameter.
 - 2) Trunk setback from curb shall be a minimum distance of 2 1/2 feet, maximum distance of 3 feet.
12. Review Required. Site Plan Review is required consistent with §153.074. In addition, the applicant shall submit a development proposal for the following elements, as applicable to the proposal as determined by the City Planner.
- A. Pedestrian Plan: A pedestrian circulation plan that provides adequate pedestrian access in the vicinity and within the project. The plan must provide compacted, safely lighted walkways and entrances suitable for use by the handicapped.
 - B. Traffic Plan: A traffic plan that provides adequate vehicle circulation in the vicinity of and within the project. The traffic plan must coordinate internal and external transportation networks, including bikeways and mass transit to extent possible. Traffic noise must be minimized.
 - C. Loading Plan: A plan for loading dock or space that provides adequate room for safe truck backing and turning movements.
 - D. Open Space Plan: A plan assuring that alterations and additions to existing buildings, and new construction, are compatible with neighboring properties in terms of the relative proportion of impervious/covered area to open space. Any landscape alterations for commercial, fabrication, educational, or professional uses shall be made in accordance with the standards contained in §153.051.
 - E. Parking Plan: A parking plan describing the impacts upon the City's parking program for both automobiles and bicycles, unless adequate on-site parking can be provided without damaging the integrity of the property.

- F. Public Safety Plan: A plan for minimizing the likelihood of criminal activity by eliminating areas that are neither clearly private nor clearly public and by using landscaping that allows maximum observation while providing desired aesthetics.
- G. Perimeter Plan: A plan for the perimeter of the project to protect adjacent properties from noise, visual incompatibility, light, glare, heat pumps, fans, or other potential nuisances. This may be accomplished through screening, setbacks, siting, or other means.















HOQUARTON WATERFRONT OVERLAY


Hoquarton Area Plan

City of Tillamook

LEGEND

 Study Area Boundary	 R-7.5 Single Family Residential	 O-S Open Space	 Waterfront Hoquarton Overlay
 I-L Light Industrial	 R-O Multiple Use Residential	 O-P Park	 Town Center Overlay
 C-C Central Commercial	 P Public & Semi-Public	 C-H Highway Commercial	

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July 2016